

**REMARKS**

Claims 1-24 are pending in the above-identified application. Claims 1-24 were rejected. With this Amendment, claims 4, 10-14, and 19 were amended and claim 9 was cancelled.

**I. 35 U.S.C. § 102 Anticipation Rejection of Claims**

Claims 1-8, 15-17 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by *Gaughan et al.* (U.S. Patent 6,097,383). Applicant respectfully traverses this rejection.

**Regarding claims 1-3:**

Applicant's independent claim 1 claims An appliance which only has an INTERNET mode of operation and a TV mode of operation. The appliance has the capability of connecting the appliance to the Internet and concomitantly displaying a worldwide web home page. The appliance also has the capability of bringing up and displaying pages which are directly or indirectly linked to the home page. The appliance further has the capability, when the appliance is switched out of its INTERNET mode and then back into that mode, of returning to a web page displayed when the appliance was switched out of the INTERNET mode.

This is clearly unlike *Gaughan*, which fails to disclose or suggest an appliance having the capability, when the appliance is switched out of an INTERNET mode and then back into that mode, of returning to a web page displayed when the appliance was switched out of the INTERNET mode. *Gaughan* discloses a web television that has picture-in-picture capability. *Gaughan* Abstract. A user can view a television program in a main window on a display and simultaneously view an Internet web page in a picture-in-picture window on the display. The user can also swap the windows, so that the Internet web page is displayed in the main window while the television program is simultaneously displayed in the picture-in-picture window. *Id.*

Therefore, *Gaughan's* web television simultaneously operates in a television mode and an Internet mode when using picture in picture -- it must in order to simultaneously display a television program in a main window and an Internet web page in a picture-in-picture window. Accordingly, unlike Applicant's claim 1, *Gaughan* does not switch out of an INTERNET mode when using picture in picture. Further, since the Internet web page is maintained -- the presentation of the Internet web page is merely moved from one window to another -- *Gaughan* fails to disclose or suggest returning to a web page displayed when an appliance was switched out of the Internet mode. In other words, the web page does not need to be returned to in *Gaughan* because it is also displayed in one of the windows.

Further, *Gaughan* fails to discuss returning to a web page displayed when an appliance was switched out of the Internet mode in any context. That is, *Gaughan* fails to teach this claimed subject matter even when not addressing its picture-in-picture operation.

For at least the reasons discussed above, *Gaughan* fails to disclose or suggest claim 1.

Claims 2 and 3 depend directly or indirectly from claim 1 and are therefore allowable for at least the same reasons that claim 1 is allowable.

Regarding claims 4-8 and 15-17:

Claim 4 has been amended to include the subject matter of claim 9. Claim 9 has been canceled. Claims 10-14 have been amended to depend from claim 4.

Independent claim 4, as amended, claims an appliance which comprises an integrated unit with only TV and INTERNET operating modes. The appliance has an input device for

transmitting data to the integrated unit by signals in a selected part of the electromagnetic spectrum. The input device has the following controls:

- BACK and NEXT controls for moving backwards and forwards through Internet web pages;
- a set of LEFT, RIGHT, UP and DOWN scroll controls for moving a page relative to a screen component of the appliance;
- a second, separate set of LEFT, RIGHT, UP and DOWN buttons for moving a cursor about the screen component of the appliance; and
- a GO control used to bring up a web page indicated by the cursor.

This is clearly unlike *Gaughan*, which fails to disclose or suggest Applicant's claimed input device. *Gaughan* teaches that its web television can have a remote controller. *Gaughan* 3:55-63. However, *Gaughan* fails to disclose or suggest a remote controller that has Applicant's claimed controls recited above. For example, *Gaughan* fails to teach a remote controller that includes a set of LEFT, RIGHT, UP and DOWN scroll controls for moving a page relative to a screen component of an appliance.

The Examiner takes Official Notice that Applicant's claimed input device controls were allegedly known in the art, however, Applicant respectfully disagrees. The Examiner has failed to cite a reference that supports the Examiner's position. Applicant requests that the Examiner cite a reference. Further, several controls are claimed in claim 4, as amended. The Examiner must establish that each of the claimed controls were disclosed or suggested in the art. Instead, the Examiner has merely made a blanket statement, without addressing each of Applicant's

claimed controls. Applicant submits that Applicant's claimed controls are novel and non-obvious, and neither disclosed nor suggested by the Examiner's already-cited references.

Thus, Applicant respectfully submits that *Gaughan* fails to disclose or suggest claim 4, as amended.

Claims 7-8 and 15-17 depend directly or indirectly from claim 4 and are therefore allowable for at least the same reasons that claim 4 is allowable.

Applicant respectfully submits the rejection has been overcome and requests that it be withdrawn.

## **II. 35 U.S.C. § 103 Obviousness Rejection of Claims**

Claims 9, 11-14 and 18 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Gaughan*. Applicant respectfully traverses this rejection.

Applicant's independent claim 4, as amended, is allowable over *Gaughan* as discussed above. Claims 11-14, and 18 depend directly or indirectly from claim 4 and are therefore allowable for at least the same reasons that claim 4 is allowable.

Claim 9 has been canceled.

Applicant respectfully submits the rejection has been overcome and requests that it be withdrawn.

Claim 10 was rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Gaughan* in view of *Pint* (U.S. Patent 5,436,676). Applicant respectfully traverses this rejection.

Applicant's independent claim 4 is allowable over *Gaughan* as discussed above. *Pint* still fails to disclose or suggest Applicant's claimed controls. Claim 10 depends directly or indirectly from claim 4 and is therefore allowable for at least the same reasons that claim 4 is allowable.

Applicant respectfully submits the rejection has been overcome and requests that it be withdrawn.

Claims 19-24 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Gaughan* in view of *Kitao* (U.S. Patent 6,124,804). Applicant respectfully traverses this rejection.

Claim 19 has been amended to correct a typographical error.

Applicant's independent claim 19, as amended, claims an appliance which can be turned on and off and has an INTERNET mode of operation and an INTERNET mode control for selecting that mode of operation. The appliance has the capability of coming on in the INTERNET mode if, when the appliance is off, a user activates the INTERNET mode control.

This is clearly unlike *Gaughan* in view of *Kitao*, which fails to disclose or suggest an appliance that has the capability of coming on in an Internet mode if, when the appliance is off, a user activates the Internet mode control. As acknowledged by the Examiner, *Gaughan* fails to teach such an appliance as claimed by Applicant. Therefore, the Examiner combines *Gaughan* with *Kitao*, however, Applicant respectfully submits the combination of references still fails to disclose or suggest Applicant's claimed appliance.

Referring to *Kitao* Figure 4, *Kitao* teaches a remote controller that has an operation key section 101, which has function keys 400 and a selection key 410. A user can use *Kitao's* controller to control different devices (such as, a television and VCR) by depressing the function keys 400 and the selection key 410. After a user presses the appropriate keys to select the desired electronic device to be controlled, the user presses a key to select a desired function. *Kitao* 4:65-7:6.

Thus, *Kitao* merely describes that a remote controller can be used to control different devices (such as, a television and VCR). Unlike claim 19, *Kitao* fails to disclose or suggest an appliance that has the capability of coming on in an Internet mode if, when the appliance is off, a user activates an Internet mode control. In fact, *Kitao* fails to even discuss turning an appliance on in a particular mode of operation, let alone an appliance having different modes of operation. Instead, *Kitao* merely discloses controlling different devices from a single remote controller. Accordingly, *Gaughan* in view of *Kitao* still fails to disclose or suggest claim 19.

Claims 20-24 depend directly or indirectly from claim 19 and are therefore allowable for at least the same reasons that claim 19 is allowable.

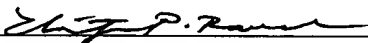
Applicant respectfully submits the rejection has been overcome and requests that it be withdrawn.

**III. Conclusion**

In view of the above amendments and remarks, Applicant submits that claims 1-8 and 10-24 are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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